

PLANNING AND ZONING COMMISSION  
Monday, November 10, 2008 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon, Mr. Vasko and Mr. Wynkoop.

Approval of Minutes

Mr. Graber made a motion to approve the minutes of the August 7, 2008 joint meeting with Council. Mr. Vasko seconded the motion. The motion passed 6 – 0 – 1 with Mr. Wynkoop abstaining.

Mr. Wynkoop made a motion to approve the minutes of the August 25, 2008 joint meeting with Landmarks. Mr. Vasko seconded the motion. The motion passed 5 – 0 – 2 with Mr. Christensen and Dr. Konold abstaining.

Mr. Knowlton made a motion to approve the minutes of the October 13, 2008 of the Planning and Zoning Commission meeting. Dr. Konold seconded the motion. The motion passed 6 – 0 – 1 with Mr. Knowlton abstaining.

Public Comment - There was none.

Administration of Public Oath

Mr. Christensen administered the public oath.

Item 1. Public Hearing Conditional Use Application #CU-08-03

Applicant Barbie Weidner, representing the owner Edith Van Fossen, for property located at 43 – 45 North High Street / 3 East Mound Street, is requesting approval of a conditional use to allow for the property to be used residentially. The property is located in the Old Town Overlay District, which allows “other compatible uses not expressly prohibited by Section 1175.01 (f)” as a conditional use. Andrew Dutton, Zoning Officer, gave the staff report. Barbie Weidner was present to answer questions from the Commission.

Mr. Christensen opened the public hearing. There were no comments. Mr. Graber made a motion to close the public hearing. Mr. Vasko seconded the motion. The Motion passed unanimously.

Mr. Knowlton made a motion to approve application #CU-08-03 as submitted. Ms. Solomon seconded the motion. The motion passed unanimously.

Mr. Christensen stated that he was going to change the order of the agenda and move up the Rockford Homes application to the next item. Mr. Christensen stated that at the discretion of the, Chairman, he can open this up to public comment. He asked that the public comment be short and not repetitive.

Item 4. Site Development Application #SDP-08-07

Applicant Catherine Cunningham, attorney representing the property owner, Rockford Homes, for property on the south side of Groveport Road east of Thrush Drive, is requesting to amend the previously approved PUD development plan approved on December 12, 2005 (#FSP-05-14) from condominiums to apartments, later use originally approved on February 10, 2003 (#FSP-03-03). Allan Neimayer, Planning and Zoning Administrator, gave the staff report. Dick Brahm, attorney, was present to answer questions from the Commission.

Mr. Brahm stated that this application is essentially identical to the application was previously approved in 2003. A few of the difference are that there is no community center because there is a pond. He stated that the sign cannot be a monument sign because of the easements. Mr. Brahm continued to go through the staff recommendations. He believes the apartments are in compliance with the PUD zoning plan.

Mr. Knowlton asked how the garages will be rented. Mr. Brahm said that it will be parking for complex residents and not storage.

Dr. Konold asked how this will be enforced. Mr. Brahm said Rockford can agree to keep them as parking spaces.

Mr. Knowlton asked if they were one bedroom units. Mr. Brahm said they are one and two bedroom units. They are primary geared toward older clientele. Mr. Knowlton also inquired what the rents are going to be. A representative from Rockford Homes said \$600.00 for a one bedroom and \$800.00 for a two bedroom.

Mr. Christensen stated at his discretion he will open a public comment session.

Jeffery Bond, 146 Washington Street, Apt. C – stated that they flip from apartments to condos and should be required to meet the current standards not what was approved in 1999.

Jack Helton, 7236 Snowberry Lane, believes that multi-family units in the area will decrease the home/property values in the area, that they will produce an increase in crime, parking may be a problem and the traffic will increase.

Greg Johnson, 7285 Bromfield Drive, stated that the owners should review the occupancy levels in surrounding apartments because the apartments off of Gender Road are losing residents.

Roger Graves, 6453 Dietz Drive, said that the switch to apartments because people cannot buy or afford homes today is wrong. In a few years people will be able to buy homes again. Property owners would be able to help schools because they have a vested interest in the property.

Jim McAnaul, 7149 Snowberry Lane, would like the Commission to take into account the people that already live here and their feelings and property values.

T. J. Harper, 7117 Rossmore Court, there is still a trailer for a clubhouse, why is this going to be any different, it is the same developers.

Stacey Boumis, 6308 Rossmore Lane, stated that she hopes the Commission continues to support the condos. There needs to be an increase in the buffer to the single family homes. She believes that the clubhouse should be put back; lose an apartment for the pond instead. She also thinks that the apartments will not look appealing from Groveport Road.

Vicki Russo, 7329 Old Creek Lane, would like to know if there is anything in the documentation that these will not go to Section 8 housing.

Mike Berkemeier, 7022 Abercorn Place, stated that there is no way that Rockford will or even can target older renters. He does not want to see the apartments like in Columbus. As a police officer, 70 – 80% of his calls are to apartment complexes. (He does not work in Canal Winchester).

Jim Bohnlein, 6320 Rossmore Lane, believes that Rockford has no way to control if there are multi people/families living in apartments.

Phillip Kumar, 7342 Crossett Court inquired if Rockford is going to stay and manage the apartments.

Jimmy Ryan, 7310 Snowberry Lane, would like to know what the superintendents' slant on this is, about police protection and would the developer want this in their backyard.

Mr. Neimayer stated that he did not hear from the superintendent as far as the proposed development, what he did hear was a concern about bus access and that she was going to forward that onto the bus manager and get back to him.

Ernie Wheeler, 7010 Pearce Lane, is the city water, roads and other infrastructure ready for this development.

Gregg Jeffries, 6414 Rossmore Lane, will Rockford need a waiver for the sign? Mr. Neimayer stated yes. Do we have any idea of the tax benefit of the property? Mr. Strayer stated no, not at this time. Mr. Jeffries asked why multifamily then? Mr. Strayer stated that it was already approved in 1990. He stated that the community does not want this development.

Mary Hilderbrand, 6612 Eagle Ridge Lane, stated that when she purchased her home, she was told these would be condos not apartments. She is opposed to the apartments.

Randy Smith, 7190 Snowberry Lane, would like to know is this currently approved for apartments or condos. Mr. Christensen stated that it is currently approved for condos. He is opposed to switch back to apartments. Believes that there will be an increase in police services provided by the Village and this may affect the rest of the community.

John Cowen, 7265 Snowberry Lane, would like to know is what being done is it what is best for Rockford homes or what is best for our community?

Bruce Tamte, 7311 Snowberry Lane, Would like to know what the Mayor thinks about the impact on this issue. The mayor stated that the impact on the Village as far as the sheriff's department, yes there would be an impact there. The more people in town no matter where you put them would have an impact. As far as the infrastructure, the roadways would need to work; sewage and water can handle it.

Jim Wald, 7005 Thrush Drive, would like to go on record that he concurs with the remarks made here tonight. He believes the apartments will deteriorate the community.

Anna Wheeler, 7010 Pearce Lane, stated that there will be no open spaces in the apartments and no sidewalks on Groveport Road.

Mr. Christensen closed the chairman's discretion public hearing.

Dr. Konold said he does not like that the access does not line up with the park.

Mr. Wynkoop stated that he believes these should be kept as condos.

Mr. Wynkoop made a motion approve Application #SDP-08-07. Mr. Graber seconded the motion. The motion failed unanimously.

Mr. Christensen took a five minute break from the meeting so that the people could clear out that were not staying for the rest of the meeting.

Meeting called back to order at 8:23 p.m.

Item 2. Public Hearing Variance Application #VA-08-07

Applicant Doug Emert of Ricop, representing Manifold & Phalor for property on Busey Road, west of Loveland Excavating, PID #042-0376200, owned by Canal Pointe LLC, is requesting approval of a variance to Section 1175.02 (d) (1) (A) to increase the maximum industrial development density from 12,000 sq. ft. to 18,000 sq. ft. per acre, and to Section 1185.03 to reduce the minimum off-street parking requirements for 229 to 103 spaces. Mr. Neimayer gave the staff report. Doug Emert and Walter Beatty of Ricop were present to answer questions from the Commission.

Mr. Knowlton asked what the maximum number of employees is. Mr. Emert said that to start it would be 15 or 16.

Mr. Knowlton inquired if this was a 24 hour operation. Mr. Beatty said that it is two shifts.

Mr. Christensen opened up the public hearing. There was none.

Mr. Vasko Made a motion to close the public hearing. Mr. Knowlton seconded the motion. The motion passed unanimously.

Mr. Wynkoop made a motion to approve application #VA-08-07 with staff recommendations and with the condition that it be occupied by one single user, specifically Manifold & Phalor, or its successor, should the future use of the building change from a single user to two or more users then a new variance must be approved. Ms. Solomon seconded the motion. The motion passed unanimously.

Item 3. Site Development Plan Application #SDP -08-06

Applicant Doug Emert of Ricop, representing Manifold & Phalor for property on Busey Road, west of Loveland Excavating, PID #042-0376200, owned by Canal Pointe LLC, is requesting approval for a 27,000 sq.ft. industrial factory for machining steel [arts and 1,800 sq. ft. office. Allan Neimayer, Planning and Zoning Administrator, gave the staff report. Doug Emert and Walter Beatty of Ricop were present to answer questions from the Commission.

The Commission had a discussion concerning the addition of Right-of-Way to Busey Road (south side of the road) for possible future widening.

Mr. Wynkoop made a motion to approve application #SDP-08-06 with staff recommendations. Mr. Vasko seconded the motion. The motion passed unanimously.

Old Business

1. Recommendation to Council on adopting the Commercial Design Standards. Mr. Wynkoop made a motion to forward the Commercial Design Standards to Council for approval. Mr. Vasko seconded the motion. The motion passed unanimously.

### New Business

1. Canal Banking Center; electronic display sign. There were no representatives were present so this item was not discussed.
2. Mike Davis lot split involving Canal Cove Subdivision. Mr. Neimayer explained that Mr. Davis wants to split a portion of a lot of record abutting his property to put a shed on. This parcel is not part of the Canal Cove subdivision. Mr. Neimayer explained that part of the deed restrictions for Canal Cove does not allow storage sheds. This parcel also has no public access to this property. The shed that Mr. Davis wants to put up would require several variances; first, it is 15 feet by 20 feet and would require a variance for the size and width, second, it does not have frontage on a public right-of- way and third, there is no principle use on the site. The Commission collectively decided that they did not like the idea of the lot split.

### Planning and Zoning Administrator's Report

1. Chris Strayer, Development Director, went over the findings from the Focus Group meetings. One item brought up was that Council, Planning & Zoning Commission and C.W.I.C.C. need to be on the same page. His suggestions was that in the future we will start having more joint meetings to ensure that everyone is on the same page as far as what kind of development we want to bring in and how we want to address specific issues.

Mr. Knowlton asked who wrote the findings up. Mr. Knowlton said that he took offense to items that were in the findings about their Commission.

Mr. Vasko said that this has been widely quoted in the paper and that it has hurt the reputation of the Commission. Mr. Strayer said that was not the intent of the Focus Groups. The comments of the Focus Group were to find what we could do better, not that it was done badly, but what could be done better.

### Adjournment

Mr. Vasko made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Ms. Solomon seconded the motion. The motion passed 7 – 0, with Dr. Konold voting no.

Time Out: 9:06 p.m.

Date \_\_\_\_\_

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Bill Christensen, Chairman

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Jeff Graber, Secretary